

DATE: May 27, 2021

TO: ALL INTERESTED PARTIES

/s/ **SUZANNE M. AMBROSE**

FROM: Suzanne M. Ambrose
Executive Officer

SUBJECT: NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION

Notice is hereby given that the State Personnel Board (SPB or Board) proposes to amend Sections 52.4, 243.3, and 243.6 to clarify the process for filing appeals or petitions for reconsideration challenging the voided appointment, including any order of reimbursement.

The changes are in response to comments received during the first 45-day public comment period regarding Sections 52.4, 243.3, and 243.6. The changes being made are:

1. The regulation has been amended to clarify that a notice of voided appointment shall specify the amount of reimbursement ordered and inform the Appellant of their right to challenge the amount of reimbursement separately from the Voided Appointment.
2. The Board has amended section 52.4 to state that the notice of voided appointment “is mailed” rather than “sent” to the appellant to ensure consistency within section 52.4 and to clarify what constitutes the appellant’s receipt of the Notice of Voided Appointment.
3. The Board has removed the proposed amended language to section 243.3 and retained the current language in subdivision (c) which requires an employee who accepted an appointment in other than good faith to reimburse all compensation resulting from the appointment.

If you have any comments regarding the proposed changes, the Board will accept written comments between May 28, 2021 and June 14, 2021. All written comments must be submitted to the Board by June 14, 2021 and addressed to:

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All written comments received by June 14, 2021, which pertain to the indicated changes will be reviewed and responded to by the Board as part of the compilation of the rulemaking file. Please limit your comments to the modifications of the text.